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Res. 75-63

RESOLUTION NO. 75-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISTA, CALIFORNIA,
AMENDING THE GENERAL PLAN OF THE CITY OF VISTA BY
ADDING A NOISE ELEMENT THERETO

PLANNING CASE NO: 74-62
ENVIRONMENTAL NO: E 74-151

WHEREAS, the City Council of the City of Vista has adopted the General Plan of the City of Vista, as amended; and

WHEREAS, on April 21, 1975, the Planning Commission of the City of Vista duly adopted Resolution No. 75-49 recommending to the City Council the amendment of the General Plan of the City of Vista by adding the Noise Element thereto; and

WHEREAS, the content of a duly certified Environmental Impact Report was read and considered prior to acting on the amendment; and

WHEREAS, Section 65357 of the Government Code provides for the amendment of the General Plan or any part or element thereof by resolution of the legislative body of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Vista amends the General Plan of the City of Vista, as follows:

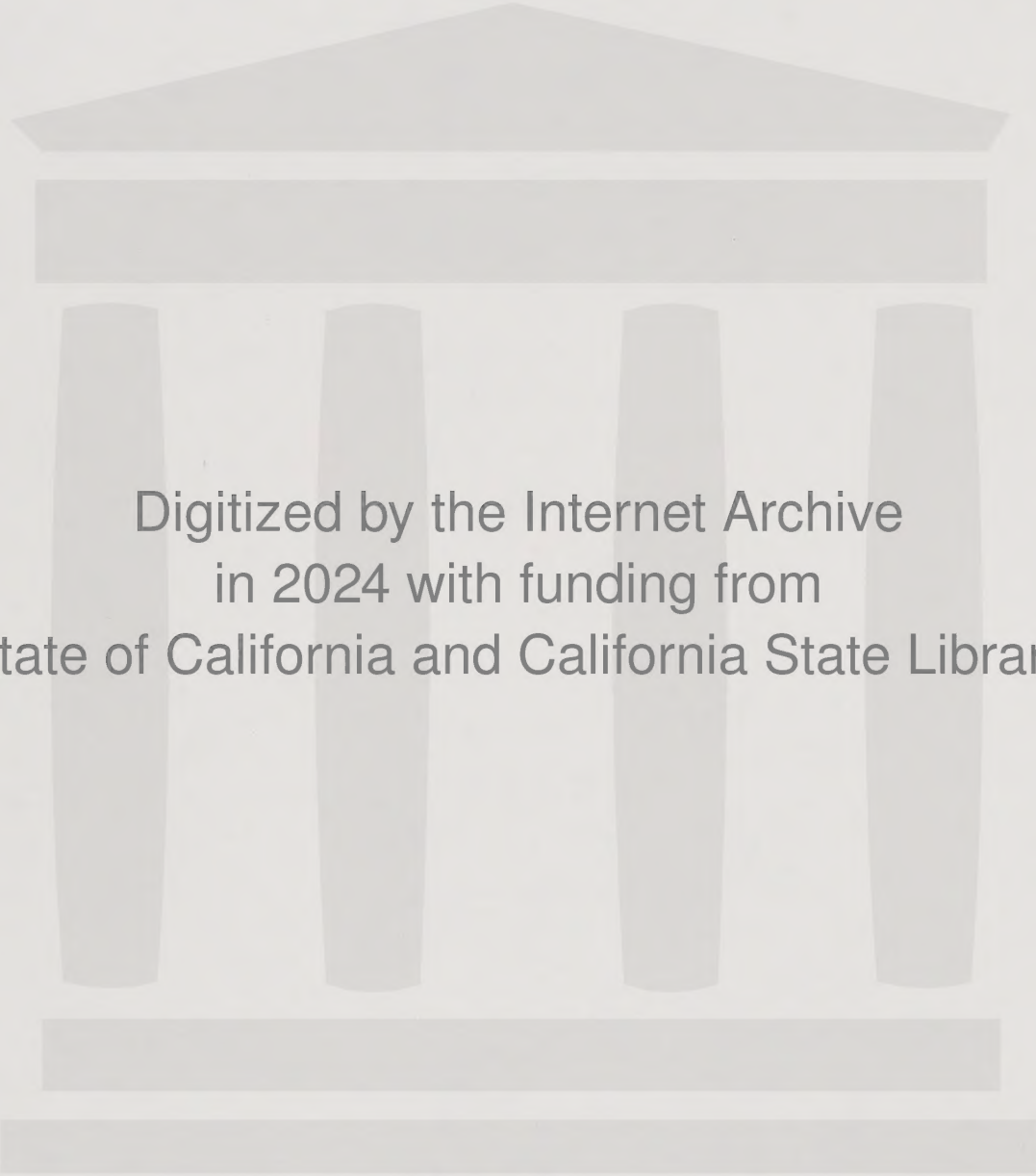
1. That the General Plan of the City of Vista is hereby amended by adding thereto the Noise Element consisting of a text identified as the "City of Vista General Plan - Noise Element," the original of which is on file in the office of the Director of Planning of the City of Vista, and a copy of which is attached hereto as Exhibit A, and by this reference, incorporated herein as if set forth in full.

2. The overriding considerations in approving the amendment despite the environmental impacts are as follows:

A. The State mandates adoption of a Noise Element.

B. The Element will have a beneficial impact on the environment.

3. The City Clerk is directed to endorse and sign the said referenced text identified as "City of Vista General Plan - Noise Element" to indicate the adoption of this resolution by the City Council as provided in Government Code, Section 65359, and transmit a copy of this resolution to the Planning Commission and the Director of Planning of the County of San Diego.



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1 4. The General Plan previously approved by the City Council is set aside
2 and modified to the extent it is in conflict with the text adopted by
3 paragraph 1 hereof; and, except as amended and modified by this resolution,
4 the General Plan of the City of Vista, as amended, shall remain in full force
5 and effect.

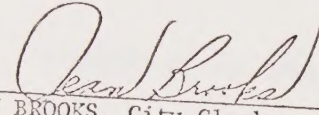
6 PASSED AND ADOPTED at a regular meeting of the City Council of the
7 City of Vista, held on the 12th day of May , 1975, by the following vote

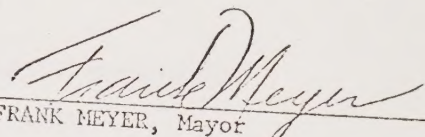
8 AYES: COUNCILMEN: Tracy, McClellan, Foo, Mihalek and Meyer

9 NOES: COUNCILMEN: None

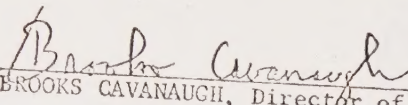
10 ABSENT: COUNCILMEN: None

11 ATTEST:

12 
13 JEAN BROOKS, City Clerk

14 
FRANK MEYER, Mayor

15 CONTENTS APPROVED:

16
17  Date 5-6-75
18 BROOKS CAVANAUGH, Director of Planning

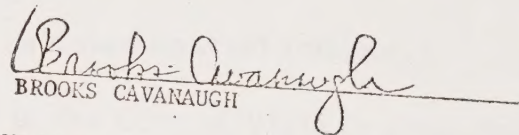
CITY OF VISTA GENERAL PLAN

NOISE ELEMENT

APPROVED BY THE CITY OF VISTA PLANNING COMMISSION

APRIL 21, 1975 - RESOLUTION NO. 75-49

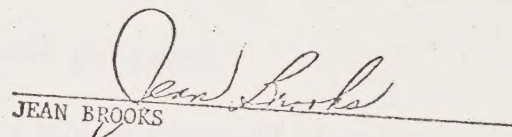
SECRETARY OF SAID COMMISSION


BROOKS CAVANAUGH

ADOPTED BY THE CITY OF VISTA CITY COUNCIL

RESOLUTION NO. 75-63.

CITY CLERK


JEAN BROOKS

NOISE ELEMENT

One of the major aspects of a semi-rural atmosphere is a quiet, peaceful environment. In analyzing the quality of life in Vista, peace and quiet is one of this communities greatest assets. The Noise Element of the General Plan is an important endeavor in the attempt to retain and protect the semi-rural atmosphere of Vista by reducing and controlling noise.

Noise can basically be defined as unwanted sound and its most common source is transportation modes. Because of this fact, state law requires that the Noise Element concentrate on transportation noise. Although the authority for regulation of automobile, motorcycle, and truck noise is held by the State of California, the City may enforce state laws regarding vehicle noise. (A discussion of jurisdictional authority in noise control follows.)

The major source of noise generated in the City of Vista is from transportation; however, there are fixed source generators. Control of these numerous sources falls within the responsibility of the City and may be abated by an active community noise control program.

The state legislation that requires the Noise Element also requires noise contour lines showing the 65 db (A) contour of major transportation sources. This requirement was met by the Comprehensive Planning Organization Environmental Noise Policy Study, which provides the noise contours needed in preparing the state-required Noise Element for the General Plan. These contours cover both highway and airport noise.

Characteristics of Noise

Sound has several basic characteristics which include loudness, frequency, pitch, duration and cyclic consistency. For humans, the two most significant

characteristics are pitch and loudness. These two factors in excess, according to the medical profession, can annoy and affect our ability to hear. Noise can produce psychological effects on humans and, in excess, will produce hearing loss. In further research, noise has been tentatively linked to cardiorespiratory and digestive disorders.

In efforts to retain a semi-rural stmosphere, plus protect the health of the community, noise must be actively abated.

IDENTIFICATION OF NOISE SOURCES

AIRCRAFT
MOTOR VEHICLE
RAILROAD
CONSTRUCTION

AMPLIFYING EQUIPMENT
NOISE MAKING APPARATUS
DISTURBERS OF THE PEACE
HUMAN VOICE & ANIMAL NOISE

AIRCRAFT NOISE

At the present time this type of noise is regulated mainly through the federal and state governments. The Federal government is moving, through the EPA, FAA, DOT, Airlines, Airport Authorities and Aircraft Manufacturers, to solve problems of aircraft noise. The State government is concerned with protecting the public from noise by enacting standards and defining compatible land uses for airports.

The state has found the following land uses compatible within the noise impact boundaries of airports:

agricultural, airport industrial and commercial property,
aviation easement for noise,
open space, and
acoustically treated single-family homes and apartments.

Motor Vehicle Noise

Since the Federal government controls surface carriers and motor vehicles engaged in interstate commerce, they have promulgated standards for highway noise emission.

The State program has consisted of enforcement of vehicle noise emission for all motor vehicles subject to registration. California Highway Patrol has prime responsibility for enforcement but local police also can enforce them.

The City may make and enforce ordinances which do not conflict with the general law. But the right to control noise limits for on-road vehicles is sovereign power of the State. The City can not enforce noise limits on streets.

Railroad

The Santa Fe, Atchison and Topeka Railway Company has track that extends from the northwest side of Vista through the City to the southeast. At the present time only one round trip to Escondido is generated per day. No increase in trip generation is foreseen in the future, so noise from this source should not increase and steps could be taken to reduce current level.

Construction and Industrial Noise

OSHA and EPA control standards limiting noise generated by construction equipment and industrial sites. But the City may set curfews on time of operation.

Noise Source Controllable by City

The City, through its police power to secure and promote the public health, safety and welfare, shall enact noise standards to regulate and control:

Amplified Sound
Noise Making Apparatus
Disturbers of the Peace
Human Voice and Animal Noise

Noise Level Measurement

Two scales for defining noise levels have been utilized for this Element: Community Noise Equivalent Level (CNEL), and day-night average sound level (L_{dn}).

The CNEL takes into account the signal duration in addition to the magnitude of noise and frequency characteristics, and the number of occurrences in a 24-hour day. The level is adjusted by applying to evening (7:00 p.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) periods weighting factors of three and ten, respectively.

The day-night average sound level (L_{dn}) is essentially the same as CNEL, except that the three hour evening period has been combined with, and therefore given the same unitary weight as, the daytime period. The L_{dn} scale was selected to be used in the development of the highway and railroad noise contours that were mapped for this Noise Element. Noise contours developed by CNEL and L_{dn} procedures will normally differ by less than one decibel.

B. NOISE ELEMENT GOALS & OBJECTIVES

To identify acceptable levels of noise and to control noise generated in Vista to those levels so that it causes no human stress or health damage.

Noise Control Policies:

- (1) Establish a noise control educational program to encourage voluntary compliance with noise ordinance regulations.
- (2) Establish a systematic program to enforce existing and future noise ordinances and regulations.

- (3) Provide adequate equipment and personnel to ensure optimum enforcement of noise ordinances and regulations.
- (4) Work with transportation agencies to control noise generated by both existing and future facilities and equipment.
- (5) Prohibit the establishment of take-off flight or landing patterns that would disturb the Vista sphere of influence.

* DESIRED MAXIMUM NOISE LEVELS BY
LAND USE CATEGORIES

Land Use Zones		
E-1, R-1, R-1-A, R-1-B	Residential Single Family	45 CNEL's (from living areas)
R-2, R-3, R-4	Residential Multiple Unit	50 CNEL's (from living areas)
C-1, C-2, C-3	Commercial	60 CNEL's (from activity areas)
M-1	Manufacturing	65 CNEL's (from working areas)
	Measurement Scale-Community Noise Equivalent Level	

- * Desired noise levels may not be feasible in all cases, but they represent a target level to be strived for.

RECOMMENDATIONS AND ACTION PLAN

THAT:

1. The City review existing ordinances pertaining to noise (Sec. 19-8) and adopt a comprehensive noise ordinance prohibiting unwanted and unnecessary sound.
2. The City adopt a noise enforcement and education program in which procedures for abatement of non-compatible sources is to determined and provide adequate equipment and personnel for such a program.
3. The City enforce the motor vehicle code as it applies to excessive noise and adopt regulations for off-road vehicles and establish...

That:

4. The City incorporate noise standards in the zoning ordinance which will prohibit incompatible land uses with respect to noise.
5. The City establish quiet zones around parks, churches, health facilities, and schools.
6. The City work with surrounding transportation agencies, local jurisdiction, the County of San Diego, the Comprehensive Planning Organization, and State and Federal agencies in a continuing effort to reduce noise.
7. Any residential development proposed within the 65 CNL area as shown by the Transportation Noise Contour lines from CPO require a special review, including review of its design to ensure reasonable peace and quiet inside the buildings and outdoor private recreational areas. The design shall be certified by an acoustician as meeting such requirements.

BIBLIOGRAPHY

United States Department of Transportation, "Transportation Noise and Its Control", Washington, D.C., June 1972.

Southern California Association of Governments, "The Workshop on the Noise Element", June 5, 1974.

City of San Diego, Noise Element of the General Plan, 1974.

Environmental Protection Agency, "Noise Control Report", pp. 73-75, April 15, 1974.

Comprehensive Planning Organization, "Environmental Noise Policy Study", April, 1974.

Advisory Commission on Intergovernmental Relations, "Guidelines for Noise Element".

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